

Amdt. dated: **February 23, 2005**

Reply to Office Action of November 1, 2004

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 4-10, 12-22 and 24-35 are pending in the present application. Claims 2, 3, 11 and 23 have been canceled, and claims 1, 6, 7-10, 12-15, 17-22, 24 and 25 have been amended, and claims 26-35 have been added by the present amendment.

In the outstanding Office Action, the specification and claims were objected to; claims 1 and 3-6 were rejected under 35 U.S.C. § 102(e) as anticipated by Ravi; and claims 2, 7-13 and 16-25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ravi in view of Madour et al.

Applicants thank the examiner for discussing this application with Applicants' representative, at which time the differences between the present invention and the applied art were discussed. No agreement was reached pending the examiner's further review when a response is filed. Comments presented during the discussion are reiterated below.

The specification and claims have been amended in light of the comments noted in the Office Action. Accordingly, it is respectfully requested these objections be withdrawn.

The present invention currently includes independent claims 1, 7, 18, 22 and 24. For example, amended independent claim 7 is directed to a method of performing a handoff in a communication system including performing a handoff of an active call and a concurrent

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dormant packet data call of a subscriber unit from a first base station to a second base station. This is accomplished by receiving an In-traffic System Parameter Message having a packet zone identifier uniquely identifying a packet control function coverage area from the second base station over an air interface, and comparing the packet zone identifier of the second base station transmitted in the In-traffic System Parameter Message with a packet zone identifier of the first base station stored in the subscriber unit to perform a handoff of the concurrent packet data call. Independent claims 1, 18, 22 and 24 include similar features in a varying scope.

On the contrary, Ravi is not directed to a handoff of a concurrent active call and a dormant packet data call as claimed by the present invention. Rather, Ravi is directed to reducing the amount of connection management service requests (CMSRs) transmitted from a base station to a mobile switching center (MSC) during a handoff of a call. Ravi does not disclose that the handoff is with a concurrent active call and a dormant packet data call. Further, the CMSRs in Ravi are not In-traffic System Parameter Messages having a packet zone identifier uniquely identifying a packet control function coverage area. Further, Madour et al. also do not teach or suggest these features.

In addition, in Ravi, the MSC is comparing CMSRs (connection management service requests) from a plurality of base stations the mobile terminal is communicating with and then selects only one the CMSRs to reduce the amount of processing in the MSC (see

Serial No. 09/838,553

Docket No. K-0242

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column 7, lines 18-36 and column 9, lines 10-28, for example). This differs from the claimed invention in which the subscriber unit compares packet zone identifiers. Note, new dependent claims 26-30 correspond to this feature. For example, dependent claim 26 recites that comparing the packet zone identifiers is performed by the mobile station.

Accordingly, it is respectfully submitted independent claims 1, 7, 18, 22 and 24 and each of the depending claims therefrom are allowable and the rejections noted in the outstanding Office Action have been overcome.

In addition, new claims 31-35 have been added to set forth the invention in a varying scope and Applicant submit the new claims are supported by the originally filed response. It is respectfully submitted the cited art does not teach or suggest the newly claimed features nor the combinations thereof.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Serial No. 09/838,553

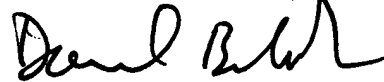
Docket No. K-0242

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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